

## REMARKS

This Amendment and Response amends claims 1 and 31 and adds claim 59. With this Amendment and Response, claims 1-59 are pending in this application.

### I. 35 U.S.C. § 102 Rejections

The Action rejects claims 1-6, 9, 12-13, 15-16, 24-25, 31-36, 41-42, 45-46 and 53-54 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,569,067 to Meyn ("Meyn '067"). Applicants respectfully traverse this rejection and ask that it be withdrawn.

#### A. Claim 1

Claim 1 has been amended to clarify that the supply means is adapted to control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot. Meyn '067 fails to teach or suggest at least this structure recited in amended claim 1.

In the Meyn '067 apparatus, the Examiner likens the first conveyor of the present invention to the supply screws 1,2 of Meyn '067. Thus, the first conveyor is comprised of two cooperating supply screws 1,2 positioned alongside each other. Meyn '067, col. 4, lines 2-5. The supply screws 1,2 meet the transfer conveyor (encompassing Meyn items 5-27) at the end of the first conveyor. The Examiner likens this point (items 1-3 and or items 11,16) to the supply means of the present invention. At this point, the entrails packages are received by a slot 5 and are transported through the device for separation. Each entrails package that has been inserted into the first conveyor of Meyn '067 will eventually be supplied to the slot and/or transfer conveyor. Once an entrails package has been inserted into the supply means, its fate is decided- there is no other option than entering the slot and transfer conveyor.

In contrast, the supply means of the present invention can control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot, and remain on the first conveyor. Thus, even after an slaughtered animal or part thereof, such as an entrails

packages, has been placed on or into the first conveyor, the present invention is capable of changing that entrails packages fate by deciding whether to supply it to the slot of the transfer conveyor or to allow it to continue on the first conveyor.

Meyn '067 fails to teach a first conveyor, a transfer conveyor, and a supply means adapted to control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot, as recited in amended claim 1.

For at least this reason, Meyn '067 fails to anticipate or render obvious claim 1, and claim 1 is therefore allowable. Moreover, claims 2-6, 9, 12, 13, 15, 16, 24, and 25 depend from allowable claim 1 and therefore are allowable.

**B. Claim 31**

Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which slaughtered animals or parts are supplied to the at least one slot. Meyn '067 fails to teach or suggest at least this structure recited in claim 31.

The Examiner states that Meyn '067 discloses a control means for the discharge means in that "the automatic control means which control the device of Meyn determines the discharge of the slaughtered animal in that the speed and the portion of the slaughtered animal to be discharged are determined by the functions of the device as seen in figures 1-8." Action, p. 5. First, the Examiner has pointed to each figure of the Meyn reference, and has not pointed to the specific portion of the Meyn device which comprises the discharge control means. Even so, the device, taken as a whole, does not disclose that the discharge control means allows slaughtered animals to be discharged from the at least one slot at a controllable rate which is independent from the rate with which they are supplied to the slot.

In Meyn '067, entrails packages are supplied to slot 5 and move steadily through the device. Although the device may stop or slow, each part of slot 5 is moving at the same rate.

There is no option to, for example, continue supplying entrails packages into slot 5, but slow or stop the discharge of entrails packages from the slot 5. In contrast, the present invention allows the continued supply of slaughtered animals into the at least one slot 12 even when slaughtered animals in the slot are not being discharged. Thus, the slaughtered animals may be discharged from the at least one slot at a rate independent from which slaughtered animals or parts are supplied to the at least one slot. For at least this reason, Meyn '067 fails to anticipate or render obvious claim 31, and claim 31 is therefore allowable. Moreover, claims 32-36, 41-42, 45-46 and 53-54 depend from allowable claim 31 and are therefore allowable for at least this reason.

**II. 35 U.S.C. § 103**

**A. Meyn '067 in view of Brakels et al.**

The Action rejects claims 7-8, 18, 21-23, 37-38, 47 and 50-52 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Brakels et al. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claims 7-8, 18, and 21-23 are allowable at least because they all depend from allowable claim 1. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claims 37-38, 47 and 50-52 are allowable at least because they all depend from allowable claim 31.

**B. Meyn '067 in view of Hobbel et al.**

The Action rejects claims 10-13 and 39-42 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Hobbel et al. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the

group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claims 10-13 are allowable at least by virtue of their dependency from allowable claim 1. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claims 39-42 are allowable at least because they depend from allowable claim 31.

**C. Meyn '067 in view of Hobbel et al. and further in view of Bos et al.**

The Action rejects claims 14 and 43 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Hobbel et al. and further in view of Bos et al. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. At least because claim 14 depends from allowable claim 1, it too is allowable. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claim 43 is allowable at least by virtue of its dependency on allowable claim 31.

**D. Meyn '067 in view of Bos et al.**

The Action rejects claims 17 and 46 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Bos et al. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claim 17 is allowable at least by virtue of its dependency from allowable claim 1. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to

discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claim 46 is allowable at least because of its dependency on allowable claim 31.

**E. Meyn '067 in view of Brakels et al. and further in view of Meyn '472**

The Action rejects claims 19-20 and 48-49 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Brakels et al. and further in view of Meyn '472. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claims 19 and 20 are allowable at least by virtue of their dependency from allowable claim 1. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claims 48-49 are allowable at least because of their dependency on allowable claim 31.

**F. Meyn '067 in view of Meyn '472**

The Action rejects claims 26-29 and 55-58 under 35 U.S.C. § 103 as being unpatentable over Meyn '067 in view of Meyn '472. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claims 26-29 depend from allowable claim 1 and therefore are allowable for at least this reason. Claim 31 has been amended to clarify that the discharge means are controlled by discharge-control means to discharge the slaughtered animals or parts from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts are supplied to the at least one slot. Claims 55-58 are allowable at least by virtue of their dependency from

allowable claim 31.

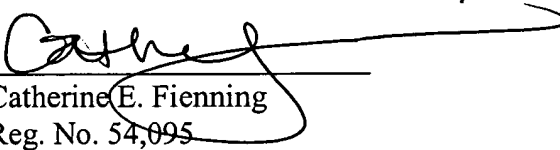
**G. Meyn '067 in view of Meyn '472 and further in view of Hobbel et al.**

The Action rejects claim 30 under 35 U.S.C. §103 as being unpatentable over Meyn '067 in view of Meyn '472 and further in view of Hobbel et al. Applicants respectfully traverse this rejection and ask that it be withdrawn. Claim 1 has been amended to clarify that the supply means control which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are supplied into the slot and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied into the slot. Claim 30 is allowable at least be virtue of its dependency from claim 1.

### CONCLUSION

Applicants respectfully submit that claims 1-59 are in condition for immediate allowance, and request early notification to that effect. If any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned at 404.532.6938 to arrange for a telephone interview prior to issuance of a final Office action.

Respectfully submitted,

  
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